



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,288	06/27/2001	Kayo Teramoto	040894-5683	1847

9629 7590 12/19/2003

MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

EXAMINER

AGUSTIN, PETER VINCENT

ART UNIT	PAPER NUMBER
----------	--------------

2652

DATE MAILED: 12/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,288

Applicant(s)

TERAMOTO, KAYO

Examiner

Peter Vincent M Agustin

Art Unit

2652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some.* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. The disclosure is objected to because of the following informalities:

Page 2, line 4: Change "form" to --from--.

Page 2, lines 13 and 25: Provide missing quotation marks.

Page 4, lines 9 and 15, and page 5, line 11: Change "can not" to --cannot--.

Page 5, line 7: Change "can not convince" to --cannot be convinced--.

Page 7, line 8 and page 9, line 13: Change "means:" to --means;--.

Page 11, line 7: Change "information etc" to --information, etc--.

Page 11, line 10: Change "memory etc" to --memory, etc--.

Page 12, line 1: Provide missing punctuation.

Page 14, line 7: Change "etc" to --etc--.

Page 14, line 12: Provide missing punctuation.

Page 15, line 25 and page 18, line 21: Change "means:" to --means;--.

Page 20, line 2: Change "member:" to --member;--.

Page 21, line 13: Change "means:" to --means;--.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 3 and 4 rejected under 35 U.S.C. 102(b) as being anticipated by Yonemitsu et al. (US-5903705).

As per claims 1 and 3, Yonemitsu et al. discloses "a recording medium reproduction apparatus for reproducing a recording medium in which recorded data" is recorded (column 1, lines 7-9) and in which "recording medium side reproduction restriction information for restricting reproduction of the recorded data is recorded" (column 6, lines 9-21). Column 5, lines 45-51 disclose "recording means" of claim 1 and "recording member" of claim 3 in which "apparatus side reproduction restriction information related to recording medium side reproduction restriction information is recorded". Figure 5, step S101; figure 2, element 3; and column 5, lines 36-39 disclose "information reading means" of claim 1 and "information reading member" of claim 3 "which reads the apparatus side reproduction restriction information recorded in said recording means and also reads the recording medium side reproduction restriction information from the recording medium before reproducing the recorded data from the recording medium". Figure 5, step S102; column 6, lines 59-63; and column 9, lines 15-20 disclose "comparing means" of claim 1 and "comparing member" of claim 3 "which compares the apparatus side reproduction restriction information with the recording

medium side reproduction restriction information each read from said information reading means". Figure 5; column 7, lines 6-18; and column 9, lines 21-31 disclose "determination means" of claim 1 and "determination member" of claim 3 "which determines whether reproduction of the recorded data is to be allowed or not based on the comparison result of said comparing means". Figure 5, steps S104 and S105 and figure 2, element 34 disclose "control means" of claim 1 and "control member" of claim 3 "which stops reproduction of the recorded data and outputs and displays the recording medium side reproduction restriction information when said determination means determines that the reproduction of the recorded data is not allowed".

As per claims 2 and 4, figure 3B; figure 4, column 40; column 4, lines 15-34; and column 7, lines 42-53 disclose "the recording medium side reproduction restriction information is a region code".

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tsuga et al. (US-5691972) disclose a multimedia optical disc which conforms to the motion picture rating systems in a variety of countries. The optical disc includes a region code storage unit for storing a region code or country code of the optical disc.

Morikawa (US-6510118) discloses a copy restriction method and apparatus which restrict copying of data from an optical recording medium to another recording medium and copy-restricted optical medium.


Sturgeon et al. (US-6118744) disclose a DVD integrated entertainment system that contains parental blocking information that prevents a user from playing a DVD disc if a certain restriction is exceeded.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Vincent M Agustin whose telephone number is (703) 305-8980. The examiner can normally be reached on Monday thru Friday 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peter Agustin
12/05/2003



BRIAN E. MILLER
PRIMARY EXAMINER